

SN. 10/669,899

ATTORNEY DOCKET NO. CANO:087

REMARKS

Claims 1-12 remain pending in this application for which applicants seek reconsideration.

Amendment

Claims 1-12 have been amended to clarify that the first sheet discharge device discharges each of the tab sheets of the tab sheet bundle in a face-up state to a first sheet discharge tray, and that the second sheet discharge device discharges each of the tab sheets of the tab sheet bundle in a face-down state to a second sheet discharge tray. No new matter has been introduced.

Drawing Objection

The examiner continues to object to the drawings under Rule 83 because the examiner believes that the drawings do not illustrate a first sheet feed device that feeds tab sheets to an image transfer position via a first conveying path that inverts the tab sheet. Applicants again traverse because at least Figs. 1 and 4A clearly illustrate this feature. Specifically, all sheets fed from trays 21a, 21b, 21c, 21d are fed to a conveying path that inverts the sheets, while the sheets fed from the deck 28 or manual feed tray 27 conveys without inverting the sheets.

§ 112 Rejection

The examiner continues to reject claims 1-12 under 35 U.S.C. § 112, first paragraph, because the examiner believes that the specification does not support an inverting path that feeds inverted sheets to the image transfer position. The examiner believes that sheets are inverted after the image transfer position. NOT SO. As explained above, all the sheets fed from trays 21a, 21b, 21c, 21d are **inverted before** reaching the image transfer position (rollers 34, 36). See at least pages 28 and 31.

Note that, although the sheets from the cassettes 21a, 21b, 21c, 21d, the manual feed tray 27, and the deck 28 are all fed in the same direction to the image transfer position, the sheets fed from the cassettes 21a, 21b, 21c, 21d become inverted before reaching the image transfer position because the feed path is substantially U-shaped. On the other hand, the sheets fed from the manual feed tray 27 or the deck 28 are fed to the image transfer position without being inverted.

Although the examiner rejected claims 9-12 under § 112, first paragraph, because the specification does not disclose a controller that is responsive to a sheet bundle, claims 9-12, as

SN. 10/669,899

ATTORNEY DOCKET NO. CANO:087

previously amended, removed that language. Accordingly, the previous reply rendered moot this rejection.

#### Art Rejection

Claims 1-12 were rejected under 35 U.S.C. § 102(b) as anticipated by Nimura (JP 2000-338729). Applicants traverse this rejection at least because Nimura would not have disclosed or taught selecting a discharge device based on how the fed tab sheet is orientated, as set forth in claims 1-12.

In rejecting the claims based on Nimura, the examiner asserts that the claims do not recite the language "designating or selecting a bin onto which the tab sheets are discharged based on their orientation." Applicants submit that that language refers to what Nimura must disclose to anticipate the claims.

Referring to page 6 of the Final rejection, the examiner further asserts that a sectional view of an image forming apparatus in Nimura illustrates a first discharge device and a second discharge device. The second discharge device (namely a pair of conveying rollers 17), however, conveys sheets for double-sided copy toward the right side of the drawing, away from the sheet sorting apparatus 8. That is, Nimura's second discharge device does not discharge sheets from the image forming apparatus to the sheet sorting apparatus 8. In short, the conveying rollers 17, i.e., the second discharge device as asserted by the examiner, does not discharge sheets as set forth in claims 1-12.

Claims 1-12 each call for selecting between first and second feed devices, depending on the orientation of the tabs, i.e., normal order or reverse order. Specifically, claims 1-12 each call for automatically selecting a predetermined sheet feed device depending upon whether the tab sheets of the tab sheet bundle are set in a normal order or a reverse order, whether the sheet feed device feeds each tab sheet of the predetermined tab sheet bundle with the tab sheet inverted or not, or whether the sheet discharge device discharges the tab sheet in a face-up or face-down state.

Nimura discloses an image forming device for forming images on and binding the tab sheets. Paragraphs 25 and 28 of Nimura disclose that the image forming device comprises a feed tray 9, a discharge tray 10, feed cassettes 11-13, a conveying path 14, a reversal flapper 15, a discharge roller 16, and a conveying roller 17. The device further includes a sorter 8, which has a bin unit 18 with a plurality of bins for holding sheets. Paragraph 22 of Nimura discloses that the originals are placed in an upside down state when the left side binding is set

SN. 10/669,899

ATTORNEY DOCKET NO. CANO:087

in a copy mode. Although Nimura does not explicitly disclose how the tab sheets are fed, based on Figs. 6-8, it is believed that the tab sheets are fed from the feed cassette 13.

Nimura simply does not disclose or teach a sheet discharge device that discharges each tab sheet of the tab sheet bundle in a face-up state and another sheet discharge device that discharges each tab sheet of the tab sheet bundle in a face-down state, as set forth in claims 1-12.

Conclusion

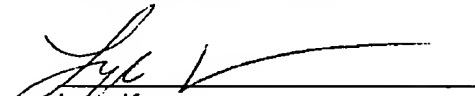
Applicants submit that claims 1-12 patentably distinguish over the applied reference and are in condition for allowance. Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicants urge the examiner to contact the undersigned to expedite prosecution.

Respectfully submitted,

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14 DECEMBER 2005

DATE

  
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